

This document was prepared by:  
Leon County Attorney's Office  
301 South Monroe Street  
Tallahassee, Florida 32301

## DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS AND RESTRICTIONS (this "Declaration")  
is made and executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2006,  
by Leon County, Florida, a political subdivision of the State of Florida, whose address is 301  
South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Declarant."

### WITNESSETH:

WHEREAS the Declarant is developing a parcel of property described in Exhibit A,  
attached hereto (the "Property"); and,

WHEREAS, the Declarant desires to establish a conservation area on the Property, as  
indicated on Exhibit A; and

WHEREAS, the Declarant desires to impose upon the conservation area certain  
covenants and restrictions.

NOW, THEREFORE, in consideration of the hereinabove set forth premises, the  
hereinafter set forth terms and conditions, and other good and valuable consideration, the receipt  
and sufficiency of which are hereby acknowledged, the Declarant hereby declares that the  
Property shall be held, sold, and conveyed subject to the following covenants, conditions and  
restrictions which shall run with the Property and be binding on all parties having any right, title  
or interest in the Property, or any part thereof, their heirs, successors and assigns, and shall inure  
to the benefit of each owner thereof:

Declarant hereby establishes a perpetual Conservation Area, which shall be maintained in like fashion to conservation easements in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

1. In accordance with permit and site plan approval conditions, portions of the conservation area would be maintained and improved through the planting of trees, shrubs, landcover, and understory, and construction of fences.
2. The following activities are prohibited within this conservation area:
  - a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
  - b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
  - c. Removal or destruction of trees, shrubs, or other vegetation, except invasive plants as described in Exhibit "B."
  - d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
  - e. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
  - f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
  - g. Acts or uses detrimental to such retention of land or water areas.
  - h. Acts or uses detrimental to the preservation of the structural integrity or physical

appearance of sites or properties of historical, architectural, archeological, or cultural significance.

i. For this project, disturbance in part of the Conservation Areas can be allowed for passive recreations such as board walks, mulched trails, boat docks, etc. in accordance with the approved permits from the Leon County Growth and Environmental Management Department.

It is understood that Leon County shall be entitled to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this declaration.

IN WITNESS WHEREOF, Leon County, Florida, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST: Bob Inzer, Clerk , Leon County, Florida

By: \_\_\_\_\_  
Deputy Clerk

By its Board of County Commissioners

By: \_\_\_\_\_  
Bill Proctor, Chairman

**EXHIBIT "A"**  
**PAGE 1 OF 6**  
**DESCRIPTION**  
**Conservation Area "A"**

Commence at a concrete filled terra cotta pipe marking the southwest corner of the northwest Quarter of Section 5, Township 1 South, Range 2 East, Leon County, Florida; thence North 89 degrees 53 minutes 09 seconds East 1333.89 feet; thence South 00 degrees 06 minutes 26 seconds West 477.65 feet; thence South 89 degrees 53 minutes 34 seconds East 564.52 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence North 40 degrees 07 minutes 53 seconds East 217.34 feet; thence North 69 degrees 26 minutes 27 seconds East 125.55 feet; thence South 44 degrees 20 minutes 28 seconds East 98.99 feet; thence South 22 degrees 36 minutes 55 seconds East 155.00 feet; thence South 13 degrees 08 minutes 28 seconds East 558.49 feet; thence South 23 degrees 02 minutes 57 seconds East 146.14 feet; thence South 08 degrees 39 minutes 17 seconds East 314.02 feet; thence South 19 degrees 04 minutes 42 seconds West 359.19 feet thence South 62 degrees 28 minutes 18 seconds West 279.04 feet; thence North 77 degrees 00 minutes 50 seconds West 373.02 feet; thence North 50 degrees 00 minutes 47 seconds West 189.28 feet; thence North 12 degrees 35 minutes 15 seconds West 335.19 feet; thence North 20 degrees 02 minutes 53 seconds East 221.63 feet; thence North 33 degrees 54 minutes 56 seconds East 345.25 feet; thence North 07 degrees 52 minutes 06 seconds East 437.65 feet to the POINT OF BEGINNING, containing 23.46 acres, more less.

**ALSO**  
**Conservation Area "B"**

Commence at a concrete filled terra cotta pipe marking the southwest corner of the northwest Quarter of Section 5, Township 1 South, Range 2 East, Leon County, Florida; thence North 89 degrees 53 minutes 09 seconds East 1333.89 feet; thence South 00 degrees 06 minutes 26 seconds West 2866.78 feet to a point on the north right-of-way boundary of U.S. Highway 27, said point being on a curve concave to the north; thence along said curve through a central angle of 00 degrees 08 minutes 11 seconds with a radius of 11,366.09 feet for an arc distance of 27.03 feet (chord of said curve being South 79 degrees 23 minutes 55 seconds East 27.03 feet) to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said curve through a central angle of 05 degrees 34 minutes 57 seconds with a radius of 11,366.09 feet for an arc distance of 1107.40 feet (chord of said curve being South 82 degrees 15 minutes 29 seconds East 1106.97 feet); thence leaving said right-of-way boundary North 54 degrees 01 minutes 30 seconds East 72.95 feet; thence North 03 degrees 20 minutes 35 seconds East 40.28 feet; thence North 85 degrees 04 minutes 42 seconds West 11.77 feet; thence South 84 degrees 56 minutes 38 seconds West 17.98 feet; thence South 05 degrees 49 minutes 35 seconds West 42.78 feet; thence South 57 degrees 33 minutes 53 seconds West 36.47 feet to a point on non-tangent curve; thence along said curve through a central angle of 04 degrees 11 minutes 42

**EXHIBIT "A"**  
**PAGE 2 OF 6**

seconds with a radius of 11,346.09 feet for an arc distance of 830.70 feet (chord of said curve being North 82 degrees 55 minutes 33 seconds West 830.52 feet); thence North 873 degrees 15 minutes 38 seconds West 168.30 feet; thence North 44 degrees 06 minutes 55 seconds West 23.44 feet; thence North 86 degrees 45 minutes 35 seconds West 27.29 feet; thence North 87 degrees 28 minutes 11 seconds West 48.63 feet; thence South 36 degrees 00 minutes 16 seconds West 17.05 feet to the POINT OF BEGINNING, containing 0.65 acres, more or less.

**ALSO**  
**Conservation Area "C"**

Commence at a concrete filled terra cotta pipe marking the southwest corner of the northwest Quarter of Section 5, Township 1 South, Range 2 East, Leon County, Florida; thence North 89 degrees 53 minutes 09 seconds East 1333.89 feet; thence South 00 degrees 06 minutes 26 seconds West 2866.78 feet to a point on the north right-of-way boundary of U.S. Highway 27, said point being on a curve concave to the north; thence along said curve through a central angle of 05 degrees 43 minutes 07 seconds with a radius of 11366.09 feet for an arc distance of 1134.43 feet (chord of said curve being South 82 degrees 11 minutes 24 seconds East 1133.96 feet); thence leaving said right-of-way boundary North 54 degrees 01 minutes 30 seconds East 72.95 feet; thence North 03 degrees 20 minutes 35 seconds East 60.29 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 03 degrees 20 minutes 35 seconds East 170.35 feet; thence North 87 degrees 24 minutes 00 seconds West 21.21 feet; thence South 05 degrees 49 minutes 35 seconds West 172.20 feet; thence North 84 degrees 56 minutes 38 seconds East 15.88 feet; thence South 85 degrees 04 minutes 42 seconds East 12.96 feet to the POINT OF BEGINNING, containing 0.10 acres, more or less.

No abstract of title or title opinion provided. It is possible that there are recorded or unrecorded deeds, easements, agreements or other instruments which could affect the boundaries hereinabove described.

A Sketch of Description attached as Exhibit "A", Page 4 of 6, Page 5 of 6, Page 6 of 6 and by reference incorporated herein. This description is not complete without the attached sketch and the attached sketch is not complete without the description.

**EXHIBIT "A"**  
**PAGE 3 OF 6**

This description meets all applicable requirements of the Florida Minimum Technical Standards as contained in Chapter 61G17-6 Florida Administrative Code pursuant to Section 472.027 Florida Statutes.

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James C. Pilcher	Date
Professional Surveyor and Mapper	
Florida License Number 6059	
Leon County Department of Public Works	
2280 Miccosukee Road	
Tallahassee, FL 32308	

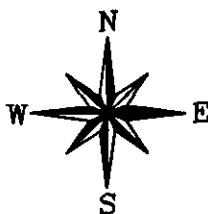
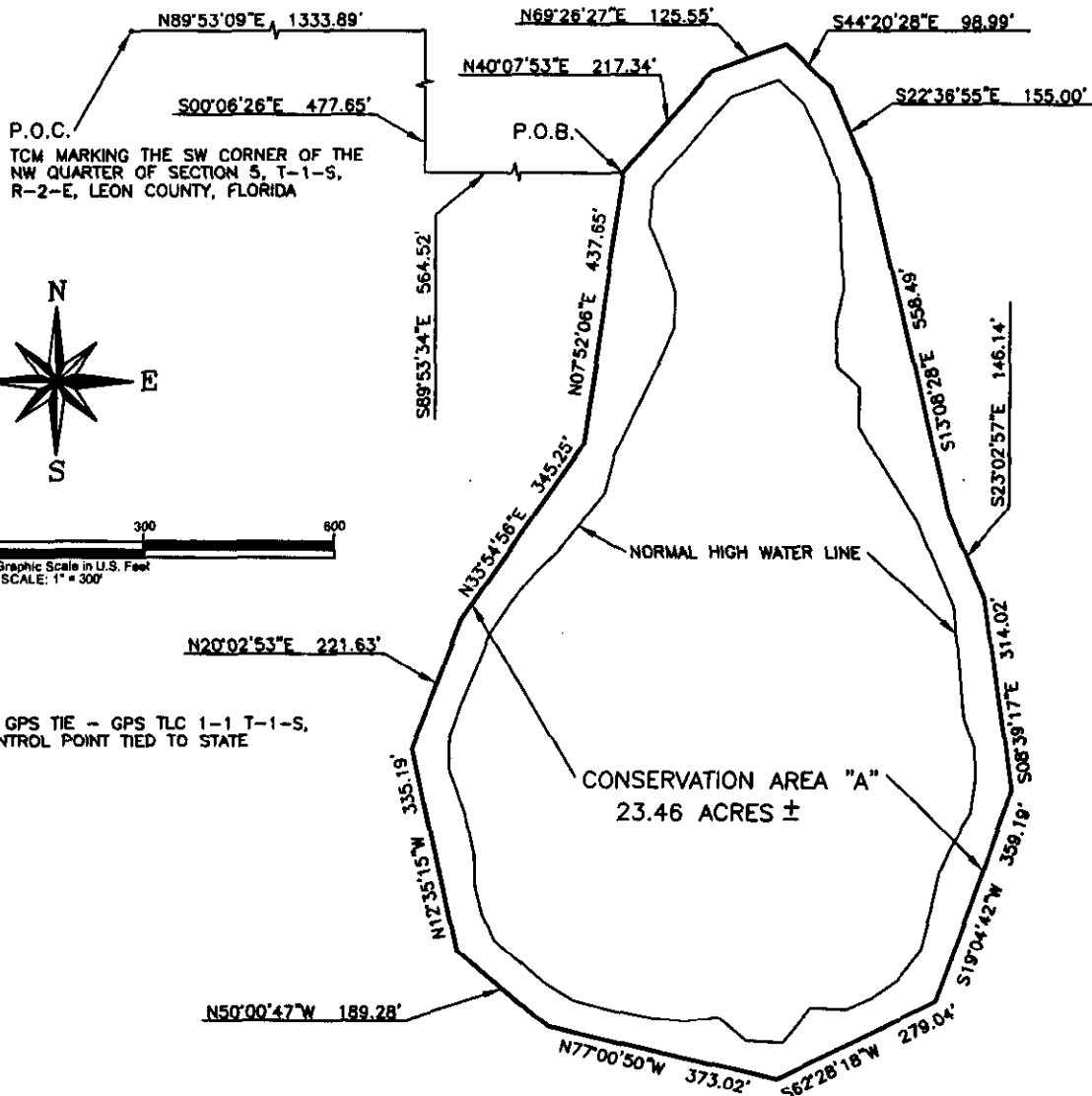
Not valid without the signature and original raised seal of the above signing surveyor

C:\Documents and Settings\user\My Documents\DEEDS\cos\_ses27.wpd  
January 6, 2006

# EXHIBIT "A" PAGE 4 OF 6

## LEGEND

- POC POINT OF COMMENCEMENT  
POB POINT OF BEGINNING  
N NORTH  
S SOUTH  
E EAST  
W WEST  
° ' " DEGREES, MINUTES, SECONDS  
' " FEET, INCHES  
FCM FOUND CONCRETE MONUMENT  
SCM SET CONCRETE MONUMENT  
RLS REGISTERED LAND SURVEYOR  
(F) FIELD MEASUREMENT  
(P) PLAT MEASUREMENT  
(C) COMPUTED MEASUREMENT



NOTE: BEARINGS BASED ON GPS TIE - GPS TLC 1-1 T-1-S, R-1-E 1988 SAID GPS CONTROL POINT TIED TO STATE PLANE COORDINATES.

## SKETCH OF DESCRIPTION

### NOT A SURVEY

THIS SKETCH IS NOT COMPLETE WITHOUT THE ATTACHED LEGAL DESCRIPTION AND THE ATTACHED LEGAL DESCRIPTION IS NOT COMPLETE WITHOUT THE SKETCH.  
NO ABSTRACT OR TITLE OPINION FURNISHED. IT IS POSSIBLE THAT THERE ARE RECORDED OR UNRECORDED DEEDS, EASEMENTS, AGREEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES HEREINABOVE DESCRIBED.

Prepared for LEON COUNTY BOARD OF COUNTY COMMISSIONERS

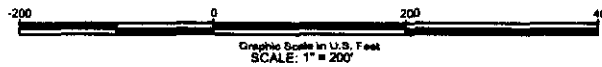
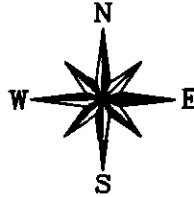
DATE OF FIELDWORK: 12-14-05	DATE OF DRAFTING: 1-6-06	DRAWN BY: D.K.	REVISION:
FIELDBOOK No. 463-04	FILE CONPOND.DWG	CHECKED BY: J.P.	REVISION:



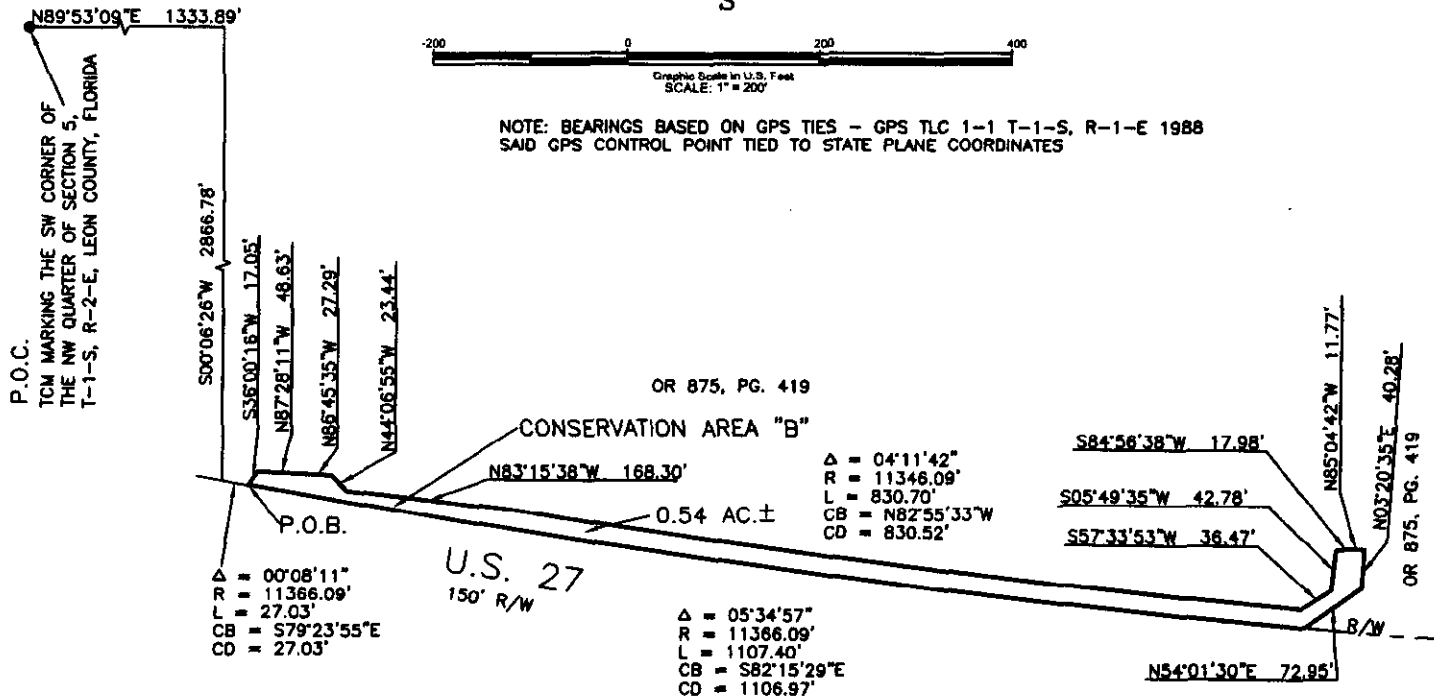
PREPARED BY:  
LEON COUNTY PUBLIC WORKS DEPARTMENT  
DIVISION OF ENGINEERING SERVICES  
SURVEY AND RIGHT-OF-WAY SECTION  
2280 MICCOSUKEE ROAD  
TALLAHASSEE, FL 32308  
Phone (850) 488-8003  
Fax (850) 488-1260

EXHIBIT "A"  
PAGE 5 OF 6

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
N	NORTH
S	SOUTH
E	EAST
W	WEST
°. ' "	DEGREES, MINUTES, SECONDS
' "	FEET, INCHES
FCM	FOUND CONCRETE MONUMENT
SCM	SET CONCRETE MONUMENT
RLS	REGISTERED LAND SURVEYOR
(F)	FIELD MEASUREMENT
(P)	PLAT MEASUREMENT
(C)	COMPUTED MEASUREMENT
TCM	TERRA COTTA MONUMENT
GPS	GLOBAL POSITIONING SYSTEM
PG.	PAGE
T	TOWNSHIP
R	RANGE
OR	OFFICIAL RECORD
CB	CHORD BEARING
CD	CHORD DISTANCE



NOTE: BEARINGS BASED ON GPS TIES - GPS TLC 1-1 T-1-S, R-1-E 1988  
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Prepared for LEON COUNTY BOARD OF COUNTY COMMISSIONERS

DATE OF FIELDWORK:	DATE of DRAFTING: 8-25-04	DRAWN BY: D.K.	REVISION: 10-26-05
FIELDBOOK No.	FILE CON_EASE27.DWG	CHECKED BY: J.P.	REVISION:

PREPARED BY:

LEON COUNTY PUBLIC WORKS DEPARTMENT

## DIVISION OF ENGINEERING SERVICES

**SURVEY AND RIGHT-OF-WAY SECTION**

2280 MICCOSUKEE ROAD

TALLAHASSEE, FL 32308

Phone (850) 488-8000



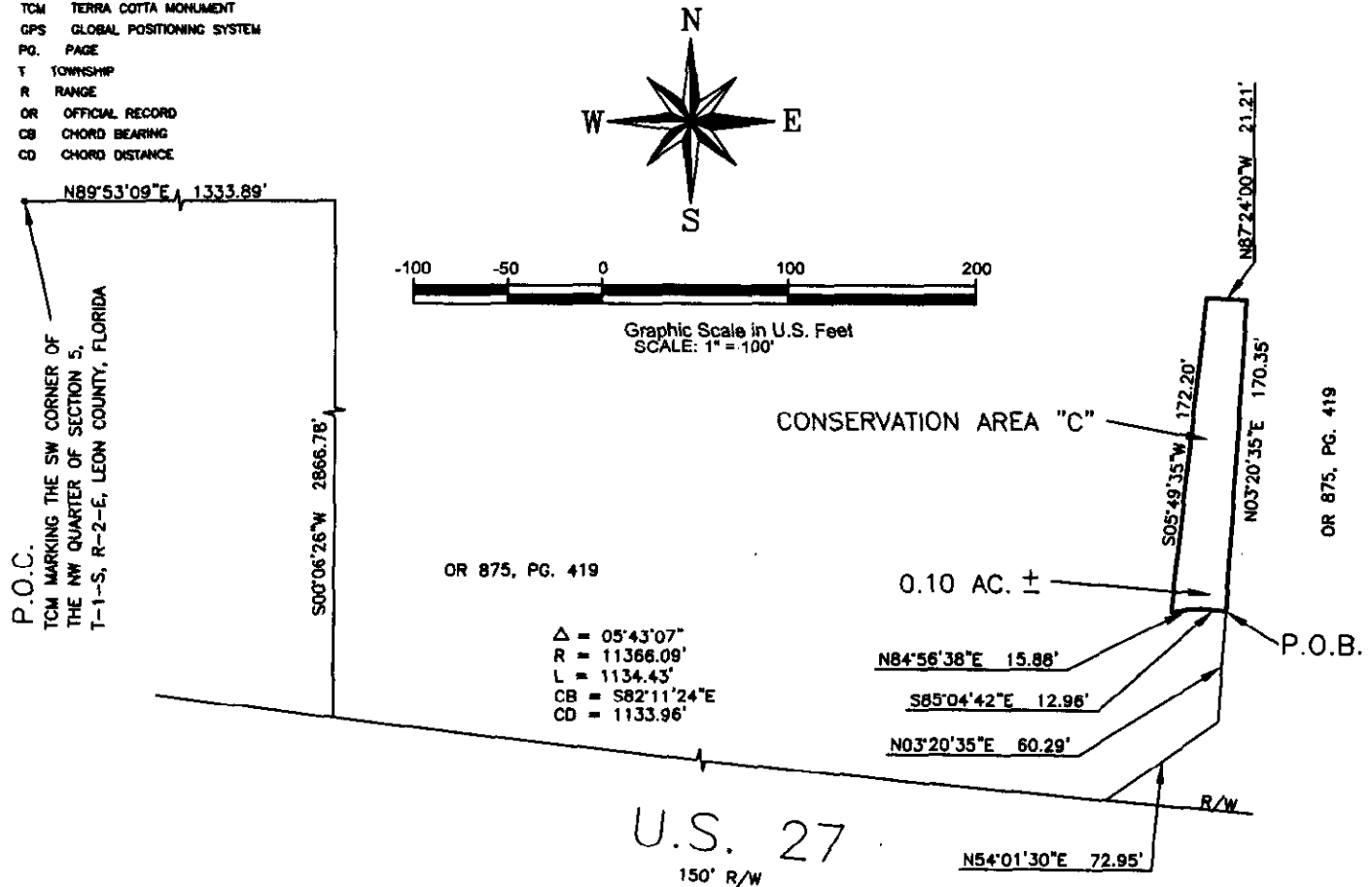


# LEGEND

POC POINT OF COMMENCEMENT  
POB POINT OF BEGINNING  
N NORTH  
S SOUTH  
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T TOWNSHIP  
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CB CHORD BEARING  
CD CHORD DISTANCE

## EXHIBIT "A" PAGE 6 OF 6

NOTE: BEARINGS BASED ON GPS TIES - GPS TLC 1-1 T-1-S, R-1-E 1988  
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## EXHIBIT "B"

### CONSERVATION MANAGEMENT PLAN

- 1.) Maintenance of the conservation easement areas shall be the responsibility of the property owner upon whose property a given conservation area or portion thereof is located. An individual lot owner will only be responsible for the maintenance of that portion of each conservation easement area located on the lot owners' property.
- 2.) Eradication of invasive and nuisance plant species may be accomplished through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufactures' labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plant Council's (EPPC) list of invasive species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, cat briar, etc. Leon County must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
- 3.) Any proposed planting of additional vegetation shall be submitted to the Leon County Growth and Environmental Management for review and approval.
- 4.) Any other activities where specifically authorized by an Environmental Management Permit issued by the Leon County Growth and Environmental Managemet.